

**REMARKS**

Claims 1-4, 6-14 and 17-38 are pending in the present application after cancellation of claims 5, 15 and 16. Claims 1, 4, 7, 12, 14, 17-19, 21, 23, 24, 27 and 33-38 have been amended.

Claims 1-11, 29-30, 33 and 35 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. In particular, the Examiner contends that the step of “providing an identifier into an area of the memory arrangement that is to be programmed” is not clearly supported by the specification. Furthermore, regarding claim 4, the Examiner indicated that it is not clear what “further area” refers to. In response, independent claims 1, 33 and 35 have been amended to recite “providing an identifier written into an area of the memory.” Furthermore, claim 4 has been amended to recite that “the identifier is located in a section that is programmed last in the area of the memory arrangement.” Applicants respectfully submit that original disclosure of the present application clearly supports the above-recited amended feature of claims 1, 33 and 35 (e.g., p. 7, l. 8-13) and the above-recited amend features of claim 4 (e.g., p. 2, l. 26-28). Accordingly, Applicants respectfully submit that claims 1-11, 29-30, 33 and 35 are in compliance with 35 U.S.C. 112.

Claims 1, 3-12, 14-24, 26-27 and 29-38 stand rejected under 35 U.S.C. §102(e) as being anticipated by United States Patent No. 6,311,322 to Ikeda (the “Ikeda reference”). For at least the following reasons, Applicants respectfully submit that the Ikeda reference does not anticipate Claims 1, 3-12, 14-24, 26-27 and 29-38.

Amended claim 1 recites, in relevant parts: “providing an identifier written into an area of the memory arrangement that is to be programmed, wherein the identifier enables identification of a correct programming of the memory arrangement”; “**rendering the identifier unrecognizable by altering the identifier** in the memory arrangement **before programming** the information;” and “rendering the identifier recognizable upon correct programming of the area of the memory arrangement, whereby **the identifier is able to be**

**detected only after the correct programming is concluded, wherein programmed information in the area of the memory arrangement is executed only if the identifier is recognized as being correct after the programming.”** Independent claims 12, 24, 27 and 33-38 recite features similar to the above-discussed feature of claim 1, i.e., rendering the identifier unrecognizable before erasing and/or programming operation, and subsequently rendering the identifier recognizable upon correct erasing and/or programming, wherein the information in the memory arrangement is executed only if the identifier is recognized as being correct after the erasing and/or programming. Applicants will explain the present claimed invention in more detail below.

For protection during changes of a memory content, an identifier that is written into the memory is used, or data that have already been written into the memory are designated as an identifier. Before a change in, or reprogramming of, the memory content, this identifier is altered in such a way that it is not recognizable (indecipherable), i.e., the identifier cannot be found. Only after a complete and successful erasing and/or programming of the memory is the changed identifier made recognizable again, whereby the recognizable identifier indicates the correct erasing and/or programming. Thus, in our present invention, an already existing or written-in memory content is purposefully altered to be unrecognizable or indecipherable before the erasing and/or programming, i.e., a purposeful error is built in before the erasing and/or programming, and the memory content can only be executed when this purposeful error has been eliminated by a successful erasing and/or programming. In this manner, the present invention enables detection of, e.g., an interference occurring during a new programming, as well as an interference occurring during a simple reprogramming without previous deleting.

While the Examiner cites col. 8, l. 5-6 and 17-18 of Ikeda for allegedly teaching the feature of altering the identifier by at least one of erasing and programming, these cited sections merely indicate that the respective values of the rewriting program update flag and the normal program update flag are changed depending on the status of the overwrite operation. There is simply nothing in Ikeda that suggests “**rendering the identifier unrecognizable by altering the identifier** in the memory arrangement **before programming** the information,” and “**rendering the identifier recognizable upon correct programming of the area of the**

memory arrangement, whereby **the identifier is able to be detected only after the correct programming is concluded**, wherein **programmed information in the area of the memory arrangement is executed only if the identifier is recognized as being correct after the programming**," as recited in amended claim 1.

For at least the reasons stated above, the Ikeda reference does not anticipate independent claims 1, 12, 24, 27 and 33-38, as well as dependent claims 3-11, 14-23, 26, and 29-32.

Claims 2, 13, 25 and 28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Ikeda reference in view of U.S. Patent No. 4,271,402 to Kastura (the "Kastura reference"). Claims 2, 13, 25, and 28 depend from Claims 1, 12, 24, and 27, respectively. Since the Ikeda reference does not anticipate Claims 1, 12, 24 and 27 as described above, and since the Kastura reference fails to remedy the deficiencies of the Ikeda reference as applied against Claims 1, 12, 24 and 27, the combination of the Ikeda reference and the Kastura reference cannot render dependent Claims 2, 13, 25, and 28 obvious under 35 U.S.C. §103(a). It is therefore respectfully requested that this rejection be withdrawn.

### CONCLUSION

In light of the foregoing, Applicants respectfully submit that all of the pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully Submitted,

KENYON & KENYON



(R. No. 36,197)

Dated: October 25, 2005

By: JOONG LEE for Gerard Messina  
Gerard A. Messina  
Reg. No. 35,952  
(212) 425-7200  
**CUSTOMER NO. 26646**